

Department of Environmental Quality

Environmental Impact Review Fact Sheet



Environmental Impact Review Process

- DEQ's Office of Environmental Impact Review receives 18 - 20 copies of an EIR from a proponent agency.
- The Office staff reviews document for sufficiency of information.
- Once complete, staff solicits comments from reviewing agencies, planning district commissions and localities.
- Once staff receives comments, one State response is prepared and sent to the Secretary of Administration.
- The Secretary, on behalf of the Governor, responds to the proponent agencies.
- The Secretary must approve the project before the release of funds from the State treasury can occur.

A state environmental impact review identifies and evaluates the environmental effects of proposed state facilities and guides facility siting and design decisions in order to protect important environmental resources. An environmental impact report (EIR) is an analysis of the project that helps agencies assess the effects of development proposals and consider alternative actions and mitigating measures to avoid or reduce adverse environmental impacts. Under *Code of Virginia* §10.1-1188, state agencies are required to prepare and submit an environmental impact report for each major state project.

The DEQ's Office of Environmental Impact Review coordinates the review process and prepares a single state response for consideration by the Secretary of Administration, representing the Governor, under Executive Order 88(01). The Office relies on other divisions and agencies within the state to provide basic information for comments and recommendations about a proposed project. Once a complete report is submitted to the Office, the Office has 60 days to complete the review. The EIR requirement applies to projects statewide.

Frequently Asked Questions

Where does the authority come from to require environmental impact reports?

The State law, originally enacted in 1973, is found in the *Code of Virginia* §10.1-1188 through 1192.

How long does an environmental impact review take? A sixty-day review period begins once the Office has received a report meeting the requirements of the *Code of Virginia* §10.1-1188.

Who must prepare EIRs? State agencies, boards, commissions, authorities, any branch of State government, and state-supported institutions of higher learning.

What projects require an EIR? Projects that are defined as major State projects. A major state project is defined as the acquisition of an interest in land for construction of any state facility, the construction of any state facility or the expansion of an existing facility costing \$100,000 or more. Also applies to any lease of state land to private entities for construction.

What projects do not require an EIR? Several types of projects including highway and road construction, interior renovations or repairs, and the acquisition of land which does not involve development of the land (e.g. Natural Area preserves, State forest lands) do not require reports.

Is an EIR required when a state agency is not using appropriated funds? Yes.

What information must be included in an EIR? Information requirements include the environmental impacts of the project, adverse environmental effects that are unavoidable, measures taken to minimize impacts, any alternatives to the proposed construction and irreversible environmental changes.

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